

States by the carrier collectible pursuant to 49 CFR part 89. These remedies are in addition to any others remedies provided by law.

## PART 1511—AVIATION SECURITY INFRASTRUCTURE FEE

Sec.

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APPENDIX A TO PART 1511—AVIATION SECURITY INFRASTRUCTURE FEE.

AUTHORITY: 49 U.S.C. 114, 40113, 44901, and 44940.

SOURCE: 67 FR 7929, Feb. 20, 2002, unless otherwise noted.

### § 1511.1 Applicability and purpose.

(a) This part prescribes the imposition of a fee on air carriers and foreign air carriers in air transportation to pay for the costs of providing U.S. civil aviation security services as described in 49 U.S.C. 44940.

(b) For purposes of this part, the fee will be described as the “Aviation Security Infrastructure Fee.”

### § 1511.3 Definitions.

The following definitions apply for purposes of this part. For other definitions that may be applicable to this part refer to 49 U.S.C. 40102.

*Administrator* means the Administrator of the Transportation Security Administration or the Administrator’s designee.

*Air transportation* means the carriage by passenger aircraft of persons or property for compensation or hire in intrastate air transportation, interstate air transportation, or foreign air transportation.

*Aircraft* means a device that is used or intended to be used for flight in the air.

*Fiscal year* means the fiscal year for the Federal government, which begins each year October 1 and ends on September 30. The fiscal year is designated

by the calendar year in which it ends, *e.g.*, fiscal year 2002 is the year beginning October 1, 2001, and ending September 30, 2002.

*Foreign air transportation* means air transportation between a place in the United States and any place outside of the United States.

*Interstate air transportation* means air transportation within the United States.

*Intrastate air transportation* means air transportation wholly within the same State of the United States.

*Passenger aircraft* means an aircraft that is used to transport passengers in air transportation.

*Property* means mail, cargo, carry-on and checked baggage, and any other articles transported by passenger aircraft operated by an air carrier or foreign air carrier in air transportation, but excluding property transported under the “Known Shipper Program.”

[67 FR 7929, Feb. 20, 2002, as amended at 68 FR 49720, Aug. 19, 2003]

### § 1511.5 Imposition of Aviation Security Infrastructure Fees.

(a) Effective February 18, 2002, an Aviation Security Infrastructure Fee will be imposed on air carriers and foreign air carriers engaged in air transportation.

(b) The amount of the Aviation Security Infrastructure Fee for each fiscal year will not exceed, in the aggregate, the amounts paid in calendar year 2000 by air carriers and foreign air carriers for the screening of passengers and property transported by passenger aircraft in the United States, as determined by the Administrator.

(c) For fiscal years 2002, 2003 and 2004, the amount of the Aviation Security Infrastructure Fee imposed on each air carrier and foreign air carrier will not exceed the amount each such carrier paid for the screening of passengers and property transported by passenger aircraft in the United States during calendar year 2000, as determined by the Administrator.

(d) Each air carrier and foreign air carrier that paid for the screening of passengers and property in calendar year 2000 must fully complete the form set forth in Appendix A to this part titled, “Calendar Year 2000 Costs Paid